

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION

Michael Barrett, IV, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	2:11-cv-04242-NKL
	)	
Donald M. Claycomb, et al.;	)	
	)	
Defendants.	)	

**MEMORANDUM TO COURT WITH RESPECT TO SCHEDULING ORDER**

Counsel for Plaintiffs hereby notify the Court that they are unable to comply with this Court's order that the parties file a joint stipulation of facts no later than June 14, 2013. (Doc. # 158).

On June 6, 2013, Plaintiffs submitted to counsel for Defendants a proposed joint stipulation of facts, requesting feedback by noon on June 12. There was no response, or response to subsequent telephone messages left for Defendants' counsel, until, by email at 2:50 p.m. on June 14, 2013, defense counsel notified Plaintiffs' counsel that "defendants decline to enter into [any of the proposed stipulations]." Defendants have not suggested any facts to which the parties might stipulate.

As a result, there are no facts to which the parties have stipulated.

Respectfully submitted,

/s/ Anthony E. Rothert

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served by operation of the Court CM/ECF system upon counsel for each of the Defendants on June 14, 2013.

/s/ Anthony E. Rothert